

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

WEST VIRGINIA VALUES, LLC
c/o George Carenbauer
P.O. Box 584
Charleston, WV 25322

2006 NOV 28 A 9:13

November 24, 2006

Office of General Counsel
Federal Election Commission
999 E Street
Washington, D.C. 20463

MUR #5870

RESPONSE TO COMPLAINT BY WEST VIRGINIA VALUES, LLC

This is the formal response by West Virginia Values, LLC to the attached Complaint against West Virginia Values, LLC, which was named in the Complaint together with Representative Alan Mollohan and the Alan Mollohan for Congress Committee. *Exhibit A*

West Virginia Values, LLC was notified of the Complaint by the attached letter from the Federal Election Commission dated November 6, 2006, which was received November 10, 2006. *Exhibit B*

The Complaint was filed by William J.M. Holley, dated October 26, 2006. Mr. Holley was a salaried employee of the Chris Wakim for Congress Committee, as evidenced by the attached recent report to the FEC by the Wakim Committee. *Exhibit C* Mr. Wakim was Representative Mollohan's unsuccessful opponent in the 2006 general election, as evidenced by the unofficial results published by the West Virginia Secretary of State. *Exhibit D*

West Virginia Values, LLC denies completely the Complainant's allegations that its advertisements are "coordinated communications" under the Federal Election Commission regulations for the reasons set forth within this Response.

The Complaint is baseless and West Virginia Values, LLC believes it was simply a political ploy, as Mr. Holley issued the attached press release on October 25, 2006, announcing that the Wakim Campaign would be filing a Complaint with the FEC. The press release was entitled "Mollohan Campaign Implicated in Illegal Coordination with 527 Group", and quoted Mr. Wakim as saying: "Alan Mollohan is a two bit crook and a political thug." The only person "implacting" Representative Mollohan in illegal coordination was Mr. Holley on behalf of the Wakim campaign. *Exhibit E*

One of the essential elements of the Complaint is the assertion that West Virginia Values' advertisements satisfied the conduct standards of a coordinated communication under 11 CFR 109.21(d) because of the personal relationship of one of the donors, Jeffrey Burum, to West Virginia

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Values, LLC, and Representative Mollohan. *See paragraph 6 of the Complaint, Exhibit A.* Although the Complaint states simply that it is “probable” that this relationship established the coordination, it nonetheless concludes that “the conduct standard of 11 CFR 109.21 has been violated”, but offers no evidence whatsoever that such coordination actually occurred. *See paragraphs 9 and 10 of the Complaint, Exhibit A.*

There was no coordination between West Virginia Values, LLC, and the relationship between Representative Mollohan and Mr. Burum does not establish this coordination as evidenced by the following:

1. West Virginia Values, LLC did not coordinate either its fundraising or advertising efforts with Representative Mollohan or his campaign staff or committee in any way, as stated in the attached affidavits from its members, R. Lane Bailey, George Carenbauer and Joseph W. Powell. *Exhibits F, G and H*

2. West Virginia Values, LLC did not solicit the contribution directly or indirectly from Mr. Burum, and Mr. Burum took the initiative to contact West Virginia Values, LLC to offer a contribution. *See Affidavit of R. Lane Bailey, Exhibit F*

3. Mr. Burum’s contributions to West Virginia Values were unconditional. *See Affidavit of R. Lane Bailey, Exhibit F*

4. West Virginia Values, LLC was formed on April 14, 2005. It filed the appropriate organization document with the West Virginia Secretary of State (*Exhibit I*) and filed as a 527 political organization with the Internal Revenue Service (*Exhibit J*).

5. West Virginia Values, LLC was formed to “educate and motivate the public on issues and public officials relating to the values and well-being of the people of West Virginia” and was not formed to assist any candidate or candidate’s committee. *See Part III, “Purpose” in Exhibit J*

6. West Virginia Values’ formation in April 2005 was 9 months before Representative Mollohan and Chris Wakim filed for election to the 1st Congressional District of West Virginia in January 2006, and 5 months before Mr. Wakim even announced he intended to seek the Congressional seat in November 2005. *Wheeling News-Register, November 13, 2005 Exhibit K*

5. West Virginia Values, LLC was very open about its existence and the identity of its members, so there are many ways in which persons such as persons could have learned about and been interested in its efforts, as evidenced by:

* the establishment of a website at www.wvvalues.org, containing information about West Virginia Values, LLC, its members, and contact information, including email addresses and a phone number

* publicity, including with an interview with West Virginia Values Member George Carenbauer broadcast statewide on West Virginia Public Broadcasting on August 22, 2006, several weeks before Mr. Burum contacted West Virginia Values about making a contribution

* the fact that West Virginia Values, LLC was opposed to actions of the Economic Freedom Fund, a 527 political committee that was spending hundreds of thousands of dollars in advertising attacking Representative Mollohan, and Mr. Holley on behalf of the Wakim campaign had actually embraced the ad campaign by the Economic Freedom Fund. *Charleston Gazette, September 22, 2005, Exhibit L*

* the availability on the internet, since the organization of West Virginia Values in April 2005, of the names and home addresses of all three of its members, as listed on the filings with both the West Virginia Secretary of State and the Internal Revenue Service

Finally, the allegation in the Complaint that the West Virginia Values' advertisements were "express advocacy" is patently false. Both of its television ads consisted of West Virginia veterans expressing their dissatisfaction with Mr. Wakim's characterization of himself as a "Gulf War veteran" when he had in fact remained in the United States during the Gulf War. The ads did not exhort the voters to take action for or against Mr. Wakim or Representative Mollohan, and in fact did not even note that Mr. Wakim was a candidate for Congress. Both advertisements may be seen on West Virginia Values' website at wvvalues.org.

Because the allegations in the Complaint against West Virginia Values, LLC are baseless as demonstrated by this Response and Exhibits, we respectfully request that Federal Election Commission take no further action except to dismiss the Complaint.

Thank you.

Sincerely,

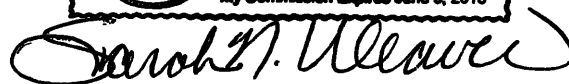
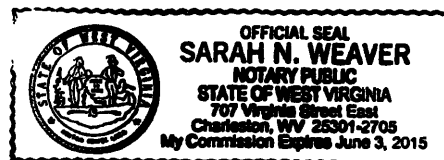


George Carenbauer
Member
West Virginia Values, LLC

SUBSCRIBED AND SWORN to before me this 24th day of November, 2006

Notary Public in and for
the State of West Virginia

Notary's Printed Name: Sarah N. Weaver
My Commission Expires: June 3, 2015



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October 26, 2006

EXHIBIT A
PG 1082

Office of General Counsel
Federal Election Commission
999 E Street
Washington, DC 20463

SENSITIVE

SECRETARIAT

2006 OCT MUR #: 5870

Re: Complaint against Alan Mollohan, candidate for U.S. House of Representatives in the First District of West Virginia, the Alan Mollohan for Congress Committee, Richard S. Pizatella, Treasurer, and West Virginia Values, LLC

Dear Sir:

This is a formal complaint to the Federal Election Commission (FEC) concerning the above-named entities. This complaint will demonstrate that West Virginia Values, LLC has made illegal coordinated communications to benefit the Alan Mollohan for Congress Committee, and has made illegal in-kind contributions to the same. The Alan Mollohan for Congress Committee is violating the law by participating in those illegal coordinated communications, as well as by accepting those excess in-kind donations and failing to properly report those donations.

West Virginia Values has run television advertisements in the First District of West Virginia in connection with the race for the US House of Representatives seat in that district. West Virginia Values considers these communications to be "independent expenditures" that are not coordinated with the Mollohan Campaign.

However, the West Virginia Values advertisements are clearly "coordinated communications" under the Federal Election Commission's regulations. Under 11 CFR 109.21, a communication is coordinated if it meets these three tests:

- 1) If the communication is paid for by a person other than the candidate, an authorized committee or a political party or agent of any of the foregoing;
- 2) If the communication satisfies at least one of the content standards in Paragraph (c) of the regulations;
- 3) If the communication satisfies at least one of the conduct standards in paragraph (d) of the regulations.

In this instance, the commercials are paid for by West Virginia Values, i.e., someone other than the Mollohan campaign or its agents, and West Virginia Values is not a political party committee. Therefore, the first element is satisfied.

The messages are electioneering communications and public communications under the applicable regulations and they expressly advocate the election or defeat of a clearly identified candidate for federal office. Thus, the content element of 11 CFR 109.21(c) is satisfied.

Finally, the conduct standards of 11 CFR 109.21(d) are met as well. Here, Jeffery Burum, the principal donor to West Virginia Values (\$50,000 out of \$60,000 in gross

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receipts), is the co-chairman of the National Housing Development Corporation, which has received \$31 million from the federal government through Mollohan earmarks over the last 5 years, according to the *Wall Street Journal*.

Burum also sits on the Board of Directors of the Vandalia Heritage Foundation, a non-profit organization created and controlled by Alan Mollohan. The Vandalia Heritage Foundation has received \$28 million through Mollohan earmarks over the last 5 years, according to the *Wall Street Journal*. Contact between Mollohan and the Vandalia Heritage Foundation is long standing, continuing, and well-documented.

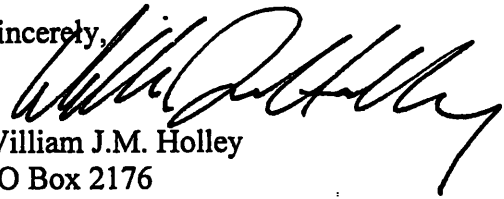
Additionally, Burum and his corporation have directly donated in excess of \$20,000 to Mollohan's political committees or his family foundation since 2002, according to documents filed with the FEC and West Virginia Secretary of State.

It is probable, in light of the long relationship and vast sums of money that Mollohan has directed to Burum's organizations (and vice versa), that coordination between them has occurred. This coordination seems all the more likely since Burum has a longstanding history of donating to Mollohan's political campaigns, but in this cycle (Mollohan's only competitive election in decades), Burum donated to West Virginia Values instead.

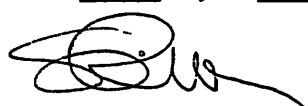
Therefore, the conduct standard of 11 CFR 109.21(d) has been violated. The expenditures by West Virginia Values in opposition to Chris Wakim cannot be independent expenditures and are therefore in-kind contributions to the Mollohan campaign well in excess of statutory maximums. According to FEC records, West Virginia Values has expended \$55,000 in opposition to Chris Wakim, vastly exceeding the amount that West Virginia Values could legally donate to the Mollohan campaign. The Mollohan campaign has therefore accepted illegally excessive contributions, and has moreover failed to report those contributions, in further violation of law.

I request that the FEC take immediate action to halt these illegal activities, and I further request that the FEC initiate a full investigation into the activities of West Virginia Values and the Mollohan campaign.

Sincerely,


William J.M. Holley
PO Box 2176
Wheeling, WV 26003

SUBSCRIBED AND SWORN to before me this 26th day of Oct, 2006


Notary Public in and for
the state of West Virginia

Notary's Printed Name: Steven R. Merich
My Commission Expires: MAY 9, 2011

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FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

NOV 6 2006

George E. Carenbauer
West Virginia Values, LLC
P.O. Box 584
Charleston, WV 25322

Re: MUR 5870

Dear Mr. Carenbauer:

The Federal Election Commission received a complaint indicates that West Virginia Values, LLC and its treasurer may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 5870. Please refer to this number in all future correspondence.

Under the Act you have the opportunity to demonstrate in writing that no action should be taken against West Virginia Values, LLC and its treasurer in this matter. Please submit any factual or legal materials that you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

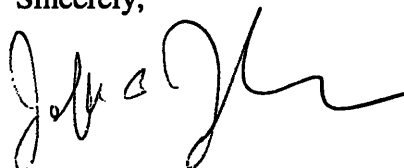
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

EXHIBIT B
PG 1 of 2

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If you have any questions, please contact Alva DeJarnett-Miller at (202) 694-1650 or toll free at 1-800-424-9530. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Jeff S. Jordan
Supervisory Attorney
Complaints Examination &
Legal Administration

Enclosures:

1. Complaint
2. Procedures
3. Designation of Counsel Statement

27044173581



SCHEDULE B

ITEMIZED DISBURSEMENTS All Listed Line Numbers

Committee: CHRIS WAKIM FOR CONGRESS

Disbursement To Address	Election Type	Date of Disbursement
	Extra Description	Amount This Period
	Text	Memo
Advantage Payroll 111 Park View Lane Wheeling, West Virginia 26003		07/01/2006
	Payroll Taxes	1363.60
Advantage Payroll 111 Park View Lane Wheeling, West Virginia 26003		07/01/2006
	Payroll Taxes and Fees	1364.61
Advantage Payroll 111 Park View Lane Wheeling, West Virginia 26003		07/15/2006
	Payroll Taxes	1102.48
Advantage Payroll 111 Park View Lane Wheeling, West Virginia 26003		08/01/2006
	Payroll Taxes	1248.53
Advantage Payroll 111 Park View Lane Wheeling, West Virginia 26003		08/15/2006
	Payroll Taxes	2082.49
Advantage Payroll 111 Park View Lane Wheeling, West Virginia 26003		08/30/2006
	Payroll Taxes	2085.58
Advantage Payroll 111 Park View Lane		09/15/2006
	Payroll Taxes and Fees	2083.50

Wheeling, West Virginia 26003		
A to Z Rentals and Sales 826 7th Avenue Huntington, West Virginia 25701	Equipment rental	09/04/2006 4091.07
Bellwether Group 1775 I Street NW Suite 700 Washington, DC 20006	Fundraising consulting	07/11/2006 1000.00
Bellwether Group 1775 I Street NW Suite 700 Washington, DC 20006	Fundraising consulting	08/09/2006 5000.00
Bellwether Group 1775 I Street NW Suite 700 Washington, DC 20006	Fax Blast	08/09/2006 46.00
Bellwether Group 1775 I Street NW Suite 700 Washington, DC 20006	Fundraising consulting	08/09/2006 1000.00
Bellwether Group 1775 I Street NW Suite 700 Washington, DC 20006	Fundraising consulting	09/12/2006 1000.00
Big Events 4701 Bath Street Building 46 Philadelphia, Pennsylvania 191372229	Equipment rental	09/04/2006 15000.00
Daniel Byler Wheeling, West Virginia 26004	Salary	
Daniel Byler Wheeling, West Virginia 26004	Salary	
Daniel Byler Wheeling, West Virginia 26004	Travel Expenses	07/31/2006 32.69
Daniel Byler Wheeling, West Virginia 26004	Salary	
Daniel Byler Wheeling, West Virginia 26004	Salary	

Daniel Byler		
	Salary	
Wheeling, West Virginia 26004		
Daniel Byler		
	Salary	
Wheeling, West Virginia 26004		
Campaign Solutions Inc. 118 North Saint Asaph Street Alexandria, Virginia 22314		07/11/2006
	Website	1000.00
Campaign Solutions Inc. 118 North Saint Asaph Street Alexandria, Virginia 22314		08/09/2006
	Website	1000.00
Campaign Solutions Inc. 118 North Saint Asaph Street Alexandria, Virginia 22314		09/01/2006
	Processing Fee	206.40
Campaign Solutions Inc. 118 North Saint Asaph Street Alexandria, Virginia 22314		09/01/2006
	Processing Fee	367.50
Campaign Solutions Inc. 118 North Saint Asaph Street Alexandria, Virginia 22314		09/04/2006
	Website	1000.00
Anita Carter		09/14/2006
	In-kind - Food for House Party	350.00
Morgantown, West Virginia 26508		
Comcast 908 National Rd. Bridgeport, Ohio 43912		07/11/2006
	Internet	440.00
Comcast 908 National Rd. Bridgeport, Ohio 43912		09/04/2006
	Internet	212.92
Donatelli Avella PO Box 25784 Alexandria, West Virginia 22313		07/11/2006
	Political consulting	6333.97
Donatelli Avella PO Box 25784 Alexandria, West Virginia 22313		07/11/2006
	Brochures	3490.00
Donatelli Avella		08/09/2006

PO Box 25784 Alexandria, West Virginia 22313	Political consulting/...el	3306.27
Executive Press Inc PO Box 2176 Wheeling, West Virginia 26003	Printing	07/11/2006 1797.86
Executive Press Inc PO Box 2176 Wheeling, West Virginia 26003	Direct Mail	07/11/2006 2325.36
Executive Press Inc PO Box 2176 Wheeling, West Virginia 26003	Office Supplies	07/11/2006 241.39
Executive Press Inc PO Box 2176 Wheeling, West Virginia 26003	Business Cards	07/11/2006 171.52
Executive Press Inc PO Box 2176 Wheeling, West Virginia 26003	Stationery and Envelopes	08/09/2006 349.39
FRIENDS OF ROY BLUNT PO Box 50100 PO Box 50100 Springfield, Missouri 65805	In-kind - Roy Blunt Air Fare	07/05/2006 535.00
Tyler Gray Wheeling, West Virginia 26003	Salary	
Tyler Gray Wheeling, West Virginia 26003	Salary	
Tyler Gray Wheeling, West Virginia 26003	Gas	07/20/2006 15.52
Tyler Gray Wheeling, West Virginia 26003	Travel Expenses	07/31/2006 233.65
Tyler Gray Wheeling, West Virginia 26003	Salary	
Tyler Gray	Travel Expenses	08/14/2006 16.86

Wheeling, West Virginia 26003		
Tyler Gray		
	Salary	
Wheeling, West Virginia 26003		
Tyler Gray		
	Salary	
Wheeling, West Virginia 26003		
Tyler Gray		09/12/2006
	Cell Phone	70.00
Wheeling, West Virginia 26003		
Tyler Gray		
	Salary	
Wheeling, West Virginia 26003		
Tyler Gray		09/30/2006
	In-kind - Phone Bill	150.00
Wheeling, West Virginia 26003		
Greener and Hook 3101 Wilson Blvd. Arlington, West Virginia 22201		07/11/2006
	Media consulting	3000.00
Greener and Hook 3101 Wilson Blvd. Arlington, West Virginia 22201		08/09/2006
	Media consulting	3000.00
Greener and Hook 3101 Wilson Blvd. Arlington, West Virginia 22201		08/21/2006
	Media production expense	18000.00
Greener and Hook 3101 Wilson Blvd. Arlington, West Virginia 22201		09/12/2006
	Media consulting	6000.00
Thomas Hamm		
	Salary	
Charleston, West Virginia 25302		
Thomas Hamm		08/30/2006
	Travel expenses	138.35
Charleston, West Virginia 25302		
Thomas Hamm		
	Salary	
Charleston, West Virginia 25302		

Thomas Hamm		
	Salary	
Charleston, West Virginia 25302		
Thomas Hamm		09/26/2006
	In-kind - Cell Phone	192.07
Charleston, West Virginia 25302		
William Holley		
	Salary	
Wheeling, West Virginia 26003		
William Holley		
	Salary	
Wheeling, West Virginia 26003		
William Holley		07/20/2006
	Travel expense	2062.40
Wheeling, West Virginia 26003		
William Holley		
	Salary	
Wheeling, West Virginia 26003		
William Holley		08/14/2006
	Travel expenses	281.00
Wheeling, West Virginia 26003		
William Holley		
	Salary	
Wheeling, West Virginia 26003		
William Holley		08/30/2006
	Travel expenses	193.38
Wheeling, West Virginia 26003		
William Holley		
	Salary	
Wheeling, West Virginia 26003		
William Holley		
	Salary	
Wheeling, West Virginia 26003		
Huckaby Davis Lisker		08/09/2006
	Accounting services	1447.53
Alexandria, Virginia 22314		
L&K Marketing		07/11/2006

PO Box 4379 Star City, West Virginia 26504	Bumper Stickers	1079.01
L&K Marketing PO Box 4379 Star City, West Virginia 26504		09/04/2006
	Banners	283.97
L&K Marketing PO Box 4379 Star City, West Virginia 26504		09/04/2006
	Campaign Materials	1067.53
Senator Sarah Minear Morgantown, West Virginia 26508		09/14/2006
	In-kind - Food for House Party	1036.21
Postmaster General 475 L'Enfant Plaza Washington, DC 20260		08/31/2006
	Stamps	195.00
Reflections Photography 631 Pennsylvania Ave. SE Washington, DC 20003		08/03/2006
	Photography expense	1043.75
REPUBLICAN NATIONAL COMMITTEE 310 FIRST STREET SE WASHINGTON, DC 20003		08/09/2006
	Travel	15000.00
Don Stemple RR 2 Box 62 Philippi, West Virginia 26416		09/14/2006
	In-kind - Food for House Party	350.00
Suburban Catering 300 Beechurst Ave Morgantown, West Virginia 26505		07/11/2006
	Catering	374.24
The Tarrance Group 201 North Union Street Suite 410 Alexandria, Virginia 22314		08/09/2006
	Polling	5871.00
The Tarrance Group 201 North Union Street Suite 410 Alexandria, Virginia 22314		08/14/2006
	Polling	6782.00
U.S. Postmaster 1125 Chapline Street Wheeling, West Virginia 26003		07/11/2006
	Stamps	78.00
U.S. Postmaster 1125 Chapline Street		07/12/2006
	Stamps	156.00

Wheeling, West Virginia 26003		
Upper Ohio Italian Festival		07/09/2006
PO Box 369	Booth Rental	275.00
Wheeling, West Virginia 26003		
Verizon		09/07/2006
3011 Hungary Spring Rd. 4th FL	Phone	824.00
Richmond, Virginia 23228		
CHRIS WAKIM		07/02/2006
	In-kind - Gas	38.35
WHEELING, West Virginia 26003		
CHRIS WAKIM		07/02/2006
	In-kind - Gas	47.41
WHEELING, West Virginia 26003		
CHRIS WAKIM		07/03/2006
	In-kind - Office Supplies	20.82
WHEELING, West Virginia 26003		
CHRIS WAKIM		07/03/2006
	In-kind - Gas	19.70
WHEELING, West Virginia 26003		
CHRIS WAKIM		07/03/2006
	In-kind - Office supplies	35.50
WHEELING, West Virginia 26003		
CHRIS WAKIM		07/04/2006
	In-kind - Signs	6.75
WHEELING, West Virginia 26003		
CHRIS WAKIM		07/12/2006
	In-kind - Airfare	857.20
WHEELING, West Virginia 26003		
CHRIS WAKIM		07/13/2006
	In-kind - UPS delivery fee	15.21
WHEELING, West Virginia 26003		
CHRIS WAKIM		07/16/2006
	In-kind - Tent	92.23
WHEELING, West Virginia 26003		
CHRIS WAKIM		07/17/2006
	In-kind - Office supplies	32.08
WHEELING, West Virginia 26003		

CHRIS WAKIM WHEELING, West Virginia 26003		07/17/2006
	In-kind - UPS Copies	7.42
CHRIS WAKIM WHEELING, West Virginia 26003		07/19/2006
	In-kind - Office supplies	62.65
CHRIS WAKIM WHEELING, West Virginia 26003		07/19/2006
	In-kind - UPS Copies	7.21
CHRIS WAKIM WHEELING, West Virginia 26003		07/20/2006
	In-kind - Wakim Gear- T-shirts and Hats	630.17
CHRIS WAKIM WHEELING, West Virginia 26003		07/23/2006
	In-kind - Dinner	327.14
CHRIS WAKIM WHEELING, West Virginia 26003		07/24/2006
	In-kind - Post Office Supplies	39.87
CHRIS WAKIM WHEELING, West Virginia 26003		07/25/2006
	In-kind - Hotel Room	264.50
CHRIS WAKIM WHEELING, West Virginia 26003		07/28/2006
	In-kind - Office supplies	65.09
CHRIS WAKIM WHEELING, West Virginia 26003		07/29/2006
	In-kind - Hotel	694.59
CHRIS WAKIM WHEELING, West Virginia 26003		08/09/2006
	In-kind - Office supplies	54.55
CHRIS WAKIM WHEELING, West Virginia 26003		08/10/2006
	In-kind - Office supplies	42.79
CHRIS WAKIM WHEELING, West Virginia 26003		08/15/2006
	In-kind - Name Tags	32.13
CHRIS WAKIM		08/22/2006

	In-kind - Shirts	113.95
WHEELING, West Virginia 26003		
CHRIS WAKIM		08/23/2006
	In-kind - Dinner	50.55
WHEELING, West Virginia 26003		
CHRIS WAKIM		09/05/2006
	In-kind - Office supplies	36.04
WHEELING, West Virginia 26003		
CHRIS WAKIM		09/06/2006
	In-kind - Volunteer Lunch	19.99
WHEELING, West Virginia 26003		
CHRIS WAKIM		09/26/2006
	In-kind - campaign meals	90.00
WHEELING, West Virginia 26003		
CHRIS WAKIM		09/30/2006
	In-kind - Hotel	118.88
WHEELING, West Virginia 26003		
CHRIS WAKIM		09/30/2006
	In-kind - Hotel	110.88
WHEELING, West Virginia 26003		
CHRIS WAKIM		09/30/2006
	In-kind - Breakfast	32.40
WHEELING, West Virginia 26003		
J. Laura Wakim		
	Salary	
Wheeling, West Virginia 26003		
J. Laura Wakim		
	Salary	
Wheeling, West Virginia 26003		
J. Laura Wakim		07/31/2006
	Office supplies	41.68
Wheeling, West Virginia 26003		
J. Laura Wakim		
	Salary	
Wheeling, West Virginia 26003		
J. Laura Wakim		08/14/2006
	Travel expenses	72.70

Wheeling, West Virginia 26003		
J. Laura Wakim		
	Salary	
Wheeling, West Virginia 26003		
J. Laura Wakim		08/30/2006
	Travel expenses	106.05
Wheeling, West Virginia 26003		
J. Laura Wakim		
	Salary	
Wheeling, West Virginia 26003		
J. Laura Wakim		
	Salary	
Wheeling, West Virginia 26003		

Total Disbursement Amount (Non-Memo)	
Total Memo Amount	
Number of Transactions (Non-Memo)	122
Number of Transactions (Memo)	0



Generated Tue Nov 21 09:17:49 2006

[BACK](#)

U.S. House of Representatives

4 Results Returned[All Districts](#) [District 1](#) [District 2](#) [District 3](#)[First Page](#) [1](#) [Last Page](#)

	Alan B. Mollohan Democrat District 1	Chris Wakim Republican District 1	Bennie Kyle (Write-In) Write-In District 1	David Moran (Write-In) Write-In District 1
--	---	--	---	---

Barbour	2774	1319	0	0
Brooke	4161	1904	0	0
Doddridge	824	859	0	0
Gilmer	1338	365	0	0
Grant	897	944	0	0
Hancock	5052	2992	0	0
Harrison	11913	5807	0	0
Marion	11196	4185	0	0
Marshall	6868	3350	0	0
Mineral	3921	3162	0	0
Monongalia	13510	7252	0	0
Ohio	8249	4353	0	0
Pleasants	1307	598	0	0
Preston	4767	3330	0	0
Ritchie	1408	1027	0	0
Taylor	2925	1228	0	0
Tucker	1175	1074	0	0
Tyler	1423	968	0	0
Wetzel	3093	1261	0	0
Wood	12796	8858	0	0
Totals	99597	54836	0	0

[BACK](#)

27044173593

[From ABMCongress@comcast.net]

Chris Wakim for Congress

Contact: Will Holley

For Immediate Release

October 25 , 2006

Mollohan Campaign Implicated in Illegal Coordination With 527 Group

What's One More Federal Offense To Alan Mollohan?

Alan Mollohan has broken yet another federal law in an act of desperation to avoid the increasingly likely scenario of losing his job and ending up in federal prison.

Federal law prohibits any coordination whatsoever between political campaigns and 527 groups. However, the California land baron who funded the shadowy group, West Virginia Values, is a long time Mollohan crony who receives millions in earmarks and returns the favor by sending tens of thousands of dollars back to Mollohan and his organizations. Jeffery Burum, the California land developer who donated \$50,000 to the 527 group, sits on the board of the Vandalia Heritage Foundation and is the co-chairman of the National Housing Development Corporation. These organizations are part of the network of non-profit organizations that have put the FBI on Mollohan's trail due to shady financial dealings involving over \$200 million in Mollohan earmarks since 20 00, according to the *New York Times*. Burum also donated well over \$20,000 to Mollohan's campaign and foundation since 2002.

Any contact between Mollohan and Burum about the 527's activities would add yet another offence to the long list of Mollohan misdeeds that the federal government is already investigating.

The Wakim Campaign is filing an official complaint with the Federal Election Commission due to illegal coordination between Alan Mollohan and West Virginia Values, LLC, the 527 group that attacked Chris Wakim.

Chris Wakim said, "Alan Mollohan is a two bit crook and a political thug. He and his friends will stop at nothing. This is just the latest indication of why it is so very probable that Alan Mollohan and his buddies are likely to find themselves in jail when all is said and done. You cannot stuff taxpayer dollars into your pockets in corrupt schemes and get away with it forever. While West Virginia families suffer the effects of a bad economy, Alan Mollohan and his pals callously abuse the system for their personal gain. Our friends and families simply will not tolerate it any longer. Alan Mollohan has to go."

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27044173594

AFFIDAVIT

COMMONWEALTH OF VIRGINIA,
COUNTY OF Fairfax, to-wit:

I, R. Lane Bailey, of Fairfax Station, Virginia, after being duly sworn upon my oath, depose and state as follows

1. I am a member of West Virginia Values, LLC, a limited liability company organized under the laws of the State of West Virginia.

2.. The other members of West Virginia Values, LLC are George E. Carenbauer of Charleston, WV and Joseph W. Powell of Bridgeport, WV, and we jointly organized West Virginia Values, LLC on April 14, 2005.

3. I have had no discussions of any kind about the advertising campaign of West Virginia Values, LLC with Representative Alan Mollohan, his family, his staff, or his campaign committee or its staff.

4. All decisions regarding the content and distribution of advertising by West Virginia Values, LLC have been made exclusively by George E. Carenbauer, Joseph W. Powell and me as members of the LLC.

5. I have had no discussions of any kind about the fundraising efforts of West Virginia Values, LLC with Representative Alan Mollohan, his family, his staff, or his campaign committee or its staff


6. I have never met, nor had any prior contact direct or indirect with Mr. Jeffrey Burum, and received an unsolicited telephone call from him on or about September 12, 2006, in which he offered to contribute to West Virginia Values, LLC.

7. Mr. Burum's contributions were unconditional, and he neither participated in, nor controlled, either the content or distribution of the advertising campaign of West Virginia Values, LLC.


R. Lane Bailey

Taken, subscribed and sworn to before me this 22 day of November, 2006.

My commission expires July 31, 2009.


Notary Public

(Notarial Seal)

<p>AMARJOT K. TIKKA NOTARY PUBLIC Commonwealth of Virginia My Commission expires July 31, 2009</p>
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27044173595

AFFIDAVIT

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, to-wit:

I, George E. Carenbauer, of Charleston, West Virginia, after being duly sworn upon my oath, depose and state as follows

1. I am a member of West Virginia Values, LLC, a limited liability company organized under the laws of the State of West Virginia.

2.. The other members of West Virginia Values, LLC are R. Lane Bailey of Fairfax Station, VA and Joseph W. Powell of Bridgeport, WV, and we jointly organized West Virginia Values, LLC on April 14, 2005.

3. I gave an interview, which was broadcast statewide by West Virginia Public Radio on August 22, 2006, in which I discussed the purpose and efforts of West Virginia Values and identified all of its members. The interviewer noted that West Virginia Values had run a newspaper ad critical of Chris Wakim, and the interviewer discussed this with Will Holley, spokesman for the Wakim campaign, who has filed the Complaint with the Federal Election Commission against West Virginia Values, Representative Mollohan and his campaign.

4. I have had no discussions of any kind about the advertising campaign of West Virginia Values, LLC with Representative Alan Mollohan, his family, his staff, or his campaign committee or its staff.

5. All decisions regarding the content and distribution of advertising by West Virginia Values, LLC have been made exclusively by R. Lane Bailey, Joseph W. Powell and me as members of the LLC.

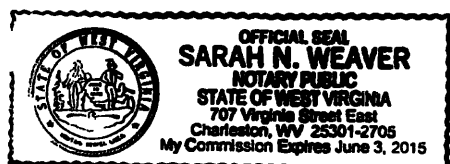
6. I have had no discussions of any kind about the fundraising efforts of West Virginia Values, LLC with Representative Alan Mollohan, his family, his staff, or his campaign committee or its staff

7. I have never met, nor have had any discussions or contact of any kind, with Jeffrey Burum, and had no involvement in his contributions to West Virginia Values, LLC.

George E. Carenbauer
George E. Carenbauer

Taken, subscribed and sworn to before me this 24 day of November, 2006.

My commission expires June 3, 2015.



Sarah N. Weaver
Notary Public

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27044173597

AFFIDAVIT

STATE OF WEST VIRGINIA,

COUNTY OF HARRISON, to-wit:

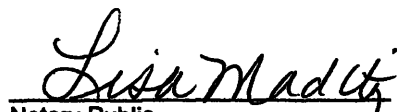
I, Joseph W. Powell, of Bridgeport, West Virginia, after being duly sworn upon my oath, depose and state as follows

1. I am a member of West Virginia Values, LLC, a limited liability company organized under the laws of the State of West Virginia
- 2.. The other members of West Virginia Values, LLC are R. Lane Bailey of Fairfax Station, VA and George E. Carenbauer of Charleston, WV, and we jointly organized West Virginia Values, LLC on April 14, 2005
3. I have had no discussions of any kind about the advertising campaign of West Virginia Values, LLC with Representative Alan Mollohan, his family, his staff, or his campaign committee or its staff.
4. All decisions regarding the content and distribution of advertising by West Virginia Values, LLC have been made exclusively by R. Lane Bailey, George E. Carenbauer and me as members of the LLC.
5. I have had no discussions of any kind about the fundraising efforts of West Virginia Values, LLC with Representative Alan Mollohan, his family, his staff, or his campaign committee or its staff
6. I have never met, nor have had any discussions of any kind, with Jeffrey Burum.

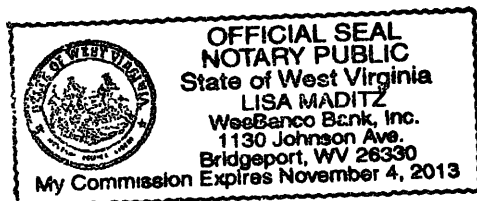

Joseph W. Powell

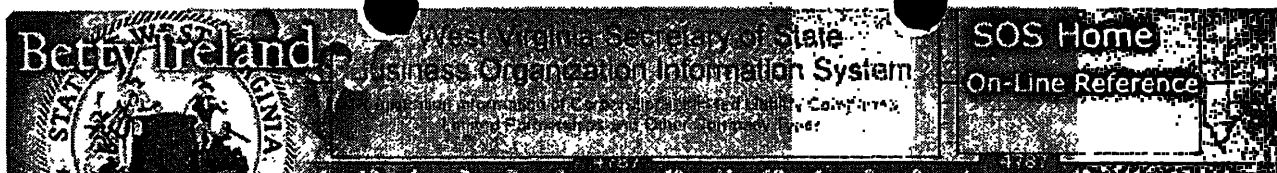
Taken, subscribed and sworn to before me this 22 day of November, 2006.

My commission expires 11-4-2013


Notary Public

(Notarial Seal)





Name WEST VIRGINIA VALUES, LLC
 Type LLC Eff Date 4/14/2005 Ch Type D Term Date
 Sec Type Fil Date 4/14/2005 Class P Term Reas

Main	Addresses	Officers	DBAs	Names	Mergers	Subsidiaries
Amendments	Ann. Reports	Dissolutions	Results	New Search	Logoff	

Officer Information

Organizer GEORGE E. GARENBAUER				Member GEORGE E. CARENBAUER			
City	State/Pr	Country	Zip	City	State/Pr	Country	Zip
CHARLESTON WV		USA	25314	CHARLESTON WV		USA	25314
Organizer R. LANE BAILEY + 1 OTHER				Member R. LANE BAILEY 10223 WOODVALE POND			
City	State/Pr	Country	Zip	City	State/Pr	Country	Zip
FAIRFAX STATION	VA	USA	22039	FAIRFAX STATION	VA	USA	22039
Manager				Member JOSEPH W. POWELL			
City	State/Pr	Country	Zip	City	State/Pr	Country	Zip
				BRIDGEPORT WV		USA	26330
Manager				Member			
City	State/Pr	Country	Zip	City	State/Pr	Country	Zip

EXHIBIT J
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8871

Form
(Rev. July 2003)

Department of the Treasury
Internal Revenue Service

**Political Organization
Notice of Section 527 Status**

OMB No. 1545-1693

Part I General Information

1 Name of organization
West Virginia Values, LLC

Employer identification number
20 - 2678139

2 Mailing address (P.O. box or number, street, and room or suite number)
PO Box 584

City or town, state, and ZIP code
Charleston, WV 25322 - 0584

3 Check applicable box: ☒ Initial notice ☐ Amended notice ☐ Final notice

4a Date established
04/14/2005

4b Date of material change

5 E-mail address of organization
no@email

6a Name of custodian of records
George Carenbauer

6b Custodian's address
PO Box 584
Charleston, WV 25322 - 0584

7a Name of contact person
George Carenbauer

7b Contact person's address
PO Box 584
Charleston, WV 25322 - 0584

8 Business address of organization (if different from mailing address shown above). Number, street, and room or suite number
PO Box 584

City or town, state, and ZIP code
Charleston, WV 25322 - 0584

9a Election authority

9b Election authority identification number

NONE

Part II Notification of Claim of Exemption From Filing Certain Forms (see instructions)

10a Is this organization claiming exemption from filing Form 8872, Political Organization Report of Contributions and Expenditures, as a qualified state or local political organization? Yes ☐ No ☒

10b If 'Yes,' list the state where the organization files reports:

11 Is this organization claiming exemption from filing Form 990 (or 990-EZ), Return of Organization Exempt from Income Tax, as a caucus or associations of state or local officials? Yes ☐ No ☒

Part III Purpose

12 Describe the purpose of the organization

To educate and motivate the public on issues and public officials relating to the values and well-being of the people of West Virginia.

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Part IV List of All Related Entities (see instructions)13 Check if the organization has no related entities ☒

14a Name of related entity	14b Relationship	14c Address
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Part V List of All Officers, Directors, and Highly Compensated Employees (see instructions)

15a Name	15b Title	15c Address
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Joseph W. Powell	Member	Bridgeport, WV 26330
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John Bailey	Member	Fairfax Station, VA 22039
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George Carenbauer	Member	Charleston, WV 25314
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Under penalties of perjury, I declare that the organization named in Part I is to be treated as a tax-exempt organization described in section 527 of the Internal Revenue Code, and that I have examined this notice, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare that I am the official authorized to sign this report, and I am signing by entering my name below.

George Carenbauer

04/14/2005

**Sign
Here**

Name of authorized official

Date

27044173600

[Skip to comments](#)

Conservative Gulf War Veteran Announces For Congress In WV

[The Wheeling News Register](#) ^ | November 13, 2005 | Jocelyn King

Posted on 11/25/2005 5:50:52 PM PST by [Clintonfatigued](#)

Current Delegate Chris Wakim, R-Ohio, made it public Saturday night that he is a candidate for Congress.

Those attending an Ohio County Republican Party steak fry at the Civics Club in Elm Grove were greeted by "Wakim for Congress" signs, and flyers were passed out promoting an upcoming Wakim campaign event.

(Excerpt) *Read more at news-register.net ...*



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GOP LEADER BLASTS 527S GROUPS HAVE NO CONTRIBUTION LIMIT, CONGRESSMAN SAYS

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Published: 09/22/2006

Page: 1A

Headline: GOP LEADER BLASTS 527S GROUPS HAVE NO CONTRIBUTION LIMIT, CONGRESSMAN SAYS

Byline: PAUL J. NYDEN

pjnyden@wvgazette.com

The chairman of the National Republican Congressional Committee said Thursday he opposes organizations with no ties to candidates and no contribution limits being able to run advertisements against congressional candidates - Democrat or Republican.

"I don't like any 527s," Rep. Tom Reynolds, R-N.Y., said about the groups that take their names from a section of the federal tax code.

"I don't care whether they are campaigning for Republicans or Democrats," he said. "I didn't even know they were down there [in West Virginia]. I appreciate the information."

The Economic Freedom Fund, a 527 fund-raising organization that is currently running negative ads against Rep. Alan B. Mollohan, D-W.Va., has gotten support from Mollohan's opponent, state Delegate Chris Wakim, R-Ohio.

Will Holley, spokesman for Wakim, said Economic Freedom Fund ads help the public understand who Mollohan is.

Bill J. Perry, a Houston, Texas, housing developer, is the sole contributor to the Economic Freedom Fund. Perry, who also gave \$4.5 million to the Swift Boat attack ad campaign against John Kerry in 2004, has donated \$5 million to the Economic Freedom Fund since Aug. 18.

The group is paying for automatic telephone ads, mailings and television ads against Mollohan.

Reynolds, however, stopped short of saying he would ask such groups to stop their actions in West Virginia. During a telephone press conference Thursday, he

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explained how the GOP congressional group decided to target Mollohan, who has held the 1st Congressional District seat since 1980.

EXHIBIT 2
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Reynolds said the NRCC added Mollohan to "our 'Sitting Duck Program' which identifies the most vulnerable Democrats" because the congressman "had not raised a lot of money when he started his race ... and the increasing Republican nature of the state made this seat an opportunity for us."

He declined to answer direct questions about the West Virginia race. Mollohan supporters have raised issues about payouts **Wakim** admitted making for illegal video lottery machines in his bars on Wheeling Island prior to January 2002. "I will leave that up to the voters," Reynolds said

Pressure is building on the Economic Freedom Fund and other 527s, many questioning whether their ads are truthful and whether they have been conducting illegal push polls.

On Monday, Indiana Attorney General Steve Carter sued the Economic Freedom Fund for allegedly making illegal, pre-recorded telephone calls in violation of an Indiana law. The group is also attacking Democrats running for Congress in Indiana, Georgia and Iowa.

Nick Casey, chairman of the West Virginia Democratic Party, said several people have asked state officials to investigate the legality of the ads circulated and aired in West Virginia.

Officials with the state Republican Party did not return telephone calls seeking comment about the ads.

Perry is listed as the sole contributor to the Economic Freedom Fund, a Sacramento, Calif.-based 527 group. Named after a section of federal tax law, 527s are not subject to conventional campaign finance restrictions.

James Boyce, executive director of the Patriot Project based in Boston, Mass., said his group is focused on making 527 groups more transparent to the public.

"The Economic Freedom Fund is the mother ship of these groups. They are spending money attacking candidates all around the country," Boyce said.

One telephone ad the group is using in Northern West Virginia says doctors are leaving the state because of the inaction of Mollohan in not reforming malpractice laws and to "limit lawsuit abuse."

The West Virginia Board of Medicine reports the number of actively licensed physicians in the state has increased from 3,317 to 3,650 since 1997.

Another telephone ad states Mollohan is under federal investigation for steering a quarter-billion dollars to his district. That call, and television ads bought by the fund, focus on a 500-page April report by the conservative political group National Legal and Policy Center.

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Mollohan released detailed financial reports in June [redacted] said proved the group had "w[redacted] exaggerated the inadvertent errors on my [redacted] financial disclosure statements. They also show that NLPC is dead wrong in implying that I have improperly benefited from my office."

EXHIBIT L
pg 3 of 3

The NLPC has refused to release the report

The fund has also mailed four ads to state residents accusing Mollohan of such things as voting against "Amber Alert" bills to protect sexually abused children and failing to support pharmaceutical coverage for seniors.

Mollohan did vote against one "Amber Alert" bill because he thought it was too weak. He voted for another bill with more federal funds that has already created protection programs in 54 of West Virginia's 55 counties, said Gerry Griffith, a spokesman for Mollohan's campaign.

The fund's ads never point out those facts. The fund also routinely refuses to answer any telephone calls

~~But Holley called the ads "entirely legitimate."~~

"Alan Mollohan needs to explain to voters how he could vote against a bill designed to protect our children from kidnappers and child molesters," he said.

"I don't think [the Economic Freedom Fund] are bothered by the truth," said Doug Moore, who is running the re-election campaign of Rep. Jim Marshall, D-Ga. "Fact checking is not their strong point "

Moore said Marshall, Rep. Leonard Boswell, D-Iowa, and former Rep. Baron Hill, D-Ind., have all been targeted by the Perry-funded group. Many of the ads it has run against them have focused on issues like gay marriage, child molesters, pornography, abortion and immigration.

"Politics is not for the faint of heart. But there has to be a basis in fact for what you say," said Moore

To contact staff writer Paul J. Nyden, use e-mail or call 348-5164.

Search for: wakim and holley and perry

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Publication Charleston Gazette

Article Dated Within 1 Year

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